

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

WANDA JURRIAANS,)
)
)
Plaintiff,)
)
) CIVIL ACTION NO.
v.) 3:17cv124-MHT
)
) (WO)
ALABAMA COOPERATIVE)
EXTENSION SYSTEM and)
AUBURN UNIVERSITY,)
)
Defendants.)

OPINION

Pursuant to the Age Discrimination in Employment Act (ADEA), 29 U.S.C. § 623, and Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., plaintiff Wanda Jurriaans filed this lawsuit against defendants Alabama Cooperative Extension System and Auburn University, asserting age-discrimination claims and a retaliation claim based on her complaints of age and sex discrimination. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendants' motion to dismiss plaintiff's ADEA-related claims be granted and

that plaintiff's ADEA-related claims be dismissed with prejudice on the basis of Eleventh Amendment immunity. Also before the court are plaintiff's "objections to the recommendation" and her "alternative ... request for leave of court to amend complaint" to seek injunctive and declaratory relief against certain officials under the ADEA. She seeks to do so on the theory that such claims would not be barred by Eleventh Amendment immunity.

After an independent and de novo review of the record, the court concludes that plaintiff's objections should be overruled and the magistrate judge's recommendation adopted. The court further concludes that her request for leave to amend the complaint should be treated as a motion and referred to the magistrate judge for consideration after having required briefing. The parties are reminded of the requirements of M.D. Ala., LR 15.1.

An appropriate judgment will be entered.

DONE, this the 6th day of September, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE